UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/699,236 | 10/30/2003 | Kengo Ochi | 9976-21US (OB0049US) | 3362 |

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| EXAMINER |
|---|
| HUNTSINGER, PETER K |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2625 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/699,236 | OCHI, KENGO |
| | Examiner | Art Unit | |
| | Peter K. Huntsinger | 2625 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☐ Responsive to communication(s) filed on _____ .
2a)☐ This action is **FINAL**.          2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *30 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☒ All   b)☐ Some * c)☐ None of:
    1.☒ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____ .
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *3/04, 12/05*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

# DETAILED ACTION

## *Priority*

1.      Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

## *Claim Objections*

2.      Claims 5 and 19 are objected to because of the following informalities:  In claims

5 and 19, line 3 should be replaced with "said discriminating information has ~~an~~

information to select <u>an</u> ID".

3.      Claim 18 is objected to because of the following informalities:  In line 2, "wherein"

should be not be capitalized.  Appropriate correction is required.

## *Claim Rejections - 35 USC § 112*

4.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.      Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Line 3 should be replaced with "said data processing is

<u>performed by</u> a data processing apparatus".  Line 9 should be replaced with "<u>said data</u>

<u>processing apparatus</u> transmits said discriminating information corresponding to the".

6.      Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Line 10 should be replaced with "<u>said image forming</u>

<u>apparatus</u> transmits said discriminating information corresponding to the".

### *Claim Rejections - 35 USC § 102*

7.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8.      Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Roosen

'793.

Referring to **claim 1**, Roosen '793 discloses an operation mode notifying method

of notifying an upper apparatus of operation modes of a data processing apparatus,

comprising:

storing display control information  for displaying the operation modes of said

data processing apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol

indicating the status of the printer);

storing discriminating information for discriminating said operation mode of said

data processing apparatus (page 2, paragraph 23, information server stores status

information of the printer);

transmitting said display control information and said discriminating information

when said data processing apparatus received a obtaining request of the operation

modes from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol

indicating the status of the printer); and

transmitting said discriminating information when said data processing apparatus

received again a obtaining request of the operation modes from said upper apparatus

(page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 2**, Roosen '793 discloses changing said discriminating

information based on said operation modes of said data processing apparatus when

said obtaining request of said operation modes is received (page 6, paragraph 109,

browser asks for updated frames at predetermined intervals).

Referring to **claim 3**, Roosen '793 discloses changing said discriminating

information when said operation modes of said data processing apparatus are changed

(page 3, paragraph 44, mode information is dynamic).

Referring to **claim 4**, Roosen '793 discloses storing a plurality of display control

information, wherein each said display control information has a corresponding ID name

(Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 5**, Roosen '793 discloses wherein said discriminating

information has information to select an ID name assigned to said display control

information (Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 6**, Roosen '793 discloses wherein said display control

information includes image information (Fig. 3, page 3, paragraph 47-48, displays a

symbol indicating the status of the printer), and

said data processing apparatus transmits said held display control information

and said discriminating information which is formed to said upper apparatus in

accordance with the obtaining request of the operation mode of said data processing

apparatus from said upper apparatus, and when the obtaining request of the operation

mode of said data processing apparatus is made again by said upper apparatus,

transmits the discriminating information for discriminating the operation mode of said

data processing apparatus and displaying said display information corresponding to a

result of said discrimination by control based on said display control information

received by said upper apparatus (page 6, paragraph 109, browser asks for updated

frames at predetermined intervals).

Referring to **claim 7**, Roosen '793 discloses wherein:

said data processing is a data forming apparatus (printer 200 of Fig. 2c, page 1-

2, paragraph 110, server resides in printer), said data processing apparatus holds

discriminating information for allowing said upper apparatus to discriminate each of said

available operation modes of said data processing apparatus and display control

information for allowing said upper apparatus to display said operation mode on the

basis of said discriminating information (page 2, paragraph 23, information server stores

status information of the printer), and

said data forming apparatus transmits said discriminating information

corresponding to the operation mode upon requesting and said display control

information to said upper apparatus in accordance with a first obtaining request of said

operation mode from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a

symbol indicating the status of the printer);

when said discriminating information and said display control information are

received, said upper apparatus holds said display control information, discriminates

each of the operation modes of said data processing apparatus shown by said

discriminating information by control based on said display control information, and

displays contents showing the operation mode corresponding to a result of said

discrimination (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status

of the printer); and

said data processing apparatus again transmits said present discriminating

information to said upper apparatus in accordance with the obtaining request of said

operation mode from said upper apparatus so as to display the present operation mode

by the control based on said display control information held in said upper apparatus

(page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 8**, Roosen '793 discloses wherein said discriminating

information is shown by each ID name added to each of the display information for

displaying the various operation modes by images (Fig. 3, page 3, paragraph 47-48,

displays printer name), and

said upper apparatus discriminates each of the display information corresponding

to each of said ID names by the control based on said display control information,

obtains said display information from said data processing apparatus, and displays it

(Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 9**, Roosen '793 discloses wherein said upper apparatus receives and holds each of the display information corresponding to each of the operation modes prior to displaying the operation mode of said data processing apparatus (Fig. 3, page 3, paragraph 47-48, inherent work station receives status information before displaying it).

Referring to **claim 10**, Roosen '793 discloses wherein said upper apparatus holds the received discriminating information until it obtains the latest discriminating information, discriminates on the basis of said held discriminating information, and displays the operation mode corresponding to a result of said discrimination (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 11**, Roosen discloses wherein said upper apparatus compares contents of said held discriminating information with contents of the received latest discriminating information and reflects only the different contents to the held discriminating information (page 3, paragraph 44, mode information is dynamic).

Referring to **claim 12**, Roosen discloses wherein said data processing apparatus holds updating interval information for controlling an interval for obtaining said discriminating information by said upper apparatus in correspondence to each of said upper apparatuses (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 13**, Roosen discloses wherein said upper apparatus holds updating interval information in which an interval for updating said discriminating information is shown and makes the obtaining request of the discriminating information

on the basis of said updating interval information (page 6, paragraph 109, browser asks

for updated frames at predetermined intervals).

Referring to **claim 14**, Roosen discloses an image forming system comprising:

an upper apparatus (workstations of Fig. 2, page 1-2, paragraph 19); a transmission

path to which said upper apparatus is connected, and an image forming apparatus for

notifying said upper apparatus of operation modes of said image forming apparatus via

said transmission path (printer 200 of Fig. 2c, page 1-2, paragraph 19), wherein

said image forming apparatus holds discriminating information for allowing said

upper apparatus to discriminate each of said available operation modes and display

control information for allowing said upper apparatus to display said operation mode on

the basis of said discriminating information (page 2, paragraph 23, information server

stores status information of the printer),

said image forming apparatus transmits said discriminating information and said

display control information corresponding to the operation mode upon requesting via

said transmission path in accordance with an obtaining request of said operation mode

from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol

indicating the status of the printer), and

if the obtaining request of said operation mode is again made by said upper

apparatus, transmits said present discriminating information to said upper apparatus via

said transmission path (page 6, paragraph 109, browser asks for updated frames at

predetermined intervals), said upper apparatus makes the obtaining request of the

operation mode of said image forming apparatus via said transmission path, when said

discriminating information and said display control information are received via said

transmission path, holds said display control information, discriminates each of the

operation modes of said image forming apparatus shown by said discriminating

information by control based on said display control information, displays the operation

mode corresponding to a result of said discrimination, and thereafter (Fig. 3, page 3,

paragraph 47-48, displays a symbol indicating the status of the printer),

makes the obtaining request of the operation mode of said image forming

apparatus again via said transmission path, when said present discriminating

information is received from said image forming apparatus via said transmission path,

discriminates each of the operation modes of said image forming apparatus shown by

said present discriminating information by control based on said held display control

information, and displays the operation mode corresponding to a result of said

discrimination (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status

of the printer).

Referring to **claim 15**, see the rejection of claim 1 above.

Referring to **claim 16**, see the rejection of claim 2 above.

Referring to **claim 17**, see the rejection of claim 3 above.

Referring to **claim 18**, see the rejection of claim 4 above.

Referring to **claim 19**, see the rejection of claim 5 above.

Referring to **claim 20**, see the rejection of claim 6 above.

Referring to **claim 21**, Roosen '793 discloses wherein said display control

information holding unit holds the display control information including image

information (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of

the printer), and

said communicating unit transmits said display control information which is held

by said display control information holding unit and said discriminating information which

is formed by said discriminating information forming unit to said upper apparatus in

accordance with the obtaining request of the operation mode of said data processing

apparatus from said upper apparatus, and when the obtaining request of the operation

mode of said data processing apparatus is made again by said upper apparatus,

transmits the discriminating information for discriminating the operation mode of said

data processing apparatus and displaying the display information corresponding to a

result of said discrimination by the control based on said display control information

received by said upper apparatus (page 6, paragraph 109, browser asks for updated

frames at predetermined intervals).


## Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter K. Huntsinger whose telephone number is

(571)272-7435.  The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Moore can be reached on (571)272-7437.  The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K Huntsinger/
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625